

REMARKS

Status of the Claims

Claims 22, 24 and 53-56 are pending. Claims 22, 24 and 53-56 are rejected.

Claims 22, 24 and 53-56 are amended herein. No new matter is added to these claims.

Claim Amendments

Claims 22, 24 and 53-56 are amended to overcome 35 U.S.C §112, first paragraph rejection. In general, previously presented claims drawn to a kit for detecting Tumor Antigen Derived Gene-15 (TADG-15) protein or to an antibody specific for a Tumor Antigen Derived Gene-15 (TADG-15) protein are amended herein to recite a kit for detecting a Tumor Antigen Derived Gene-15 (TADG-15) protein having amino acid sequence of SEQ ID No. 2 or to an antibody specific for a Tumor Antigen Derived Gene-15 (TADG-15) protein having SEQ ID No. 2.

Thus, amended claim 22 is directed to a kit for detecting a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2. This kit comprises an antibody specific for the TADG-15 protein, where the TADG-15 protein has a molecular size of 100kDa and comprises CUB, LDLR and serine protease domains and detectable labels to label the antibody. Amended claim 24 is directed to an antibody specific for a Tumor Antigen

Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2, where the TADG-15 protein has a molecular size of 100kDa and comprises CUB, LDLR and serine protease domains.

Furthermore, amended claim 53 is directed to a kit for detecting a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2. This kit comprises an antibody specific for the TADG-15 protein, where the TADG-15 protein has a molecular size of 100kDa and detectable labels to label the antibody. Amended claim 54 is directed to an antibody specific for a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2, where the TADG-15 protein has a molecular size of 100kDa.

Similarly, amended claim 55 is directed to a kit for detecting a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2. This kit comprises an antibody specific for the TADG-15 protein, where the TADG-15 protein comprises CUB, LDLR and serine protease domains and detectable labels to label the antibody. Amended claim 56 is directed to an antibody specific for a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2, where the TADG-15 protein comprises CUB, LDLR and serine protease domains.

The 35 U.S.C. §112, First Paragraph, Rejection

Claims 22, 24 and 53-56 are rejected under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

The Examiner states that the written description in the specification of the instant invention discloses SEQ ID No. 2 as TADG-15 protein and the antibody that is specific for the TADG-15 protein defined as SEQ ID No. 2. Since there is no disclosure beyond the mention of SEQ ID No. 2 as TADG-15 protein in the instant specification, the Examiner states that Applicant cannot broadly claim use of all TADG-15 proteins within a kit and antibodies specific for said undefined and uncharacterized TADG-15 protein.

As discussed *supra*, claims 22, 24 and 53-56 are amended to overcome this rejection. Amended claims are no longer drawn to a kit for detecting any Tumor Antigen Derived Gene-15 (TADG-15) protein or to an antibody specific for any Tumor Antigen Derived Gene-15 (TADG-15) protein. Instead amended claims are drawn to a kit for detecting Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID NO. 2 or to an antibody specific for a Tumor Antigen Derived Gene-15 (TADG-15) protein having an amino acid sequence of SEQ ID No. 2.

The specification of the instant invention teaches that the TADG-15 protein that comprises CUB, LDLR and serine protease domains has 855 amino acids, which is identified as SEQ ID No. 2 (page 14, lines 5-6; page 60, line 15- page 61, line 8; figs. 3,4). Furthermore, it also teaches that the molecular size of the

complete TADG-15 protein is 100kDa, that of protease domain released is 32kDa and an intermediate product is 60kDa (page 64, lines 8-17). Thus, Applicant submits that the amended claims are enabled by the specification of the instant invention. Accordingly based on the claim amendments and above-mentioned remarks, Applicant respectfully requests the withdrawal of rejection of claims 22, 24 and 53-56 under 35 U.S.C. §112, first paragraph.

This is intended to be a complete response to the Office Action mailed July 05, 2005. Applicant submits that the pending claims are in condition for allowance. If any issues remain outstanding, please telephone the undersigned attorney of record for immediate resolution. Applicant believes that no fees are due. However, if this is in error, please debit any fees due from Deposit Account No. 07-1185 on which Applicant's counsel is allowed to draw.

Respectfully submitted

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